UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/817,830	03/26/2001	Sangita R. Sharma	42390P10455	7805

8791   7590   09/01/2006

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EXAMINER
VO, HUYEN X

ART UNIT	PAPER NUMBER
2626	

DATE MAILED: 09/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/817,830	SHARMA ET AL.
	Examiner	Art Unit	
	Huyen X. Vo	2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>24 July 2006</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1,2,4,5,11,12,14,15,21,22,26,27,29 and 30</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1,2,4,5,11,12,14,15,21,22,26,27,29 and 30</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>3/26/2001</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   Applicant's arguments filed 7/24/2006 have been fully considered but they are

not persuasive. Kanevsky et al. (US 6442519) fully anticipate the limitation regarding

"the client device downloads and stores the user-specific adapted acoustic model for

use thereafter by the client device" (*col. 7, lines19-40*). Acoustic profile data for

individual users are gather at the server and classified/grouped according to acoustic

similarities.   Then different acoustic models are compared in sets associated with

similar users to derive updated or adapted acoustic models, which are transmitted to the

client device upon request from the user. So, acoustic data of a particular user together

with acoustic data of other individuals are used to derive modified/adapted acoustic

models for the particular user. Thus, examiner maintains previous ground of rejection.

2.   Applicant's arguments have been considered but are moot in view of the new

ground(s) of rejection necessitated by claim amendment.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1-2, 4-5, 11-12, 14-15, 21-22, 26-27, and 29-30 are rejected under 35

U.S.C. 102(e) as being anticipated by Murveit et al. (US 6766295) in view of Kanevsky

et al. (US 6442519).

5.   Regarding claims 1 and 21, Murveit et al. disclose an apparatus and system,

comprising: a server to couple to a client device having speech recognition functionality

(*figure 2, client device 150 and server 100*); and an acoustic model adaptor locatable at

the server to adapt an acoustic model specifically for a user of the client device (*figure

3, element 212, and/or col. 4, lines 24-67*); and wherein, when there is a network

connection between the client device and the server (*figure 2*), the server and client

device together implement a single user speech recognition system in which digitized

raw speech data of a user or extracted speech feature data of user is received by the

server from the client device and the acoustic model adaptor adapts a user-specific

acoustic model for the client device based solely on the digitized raw speech data of the

user or the extracted speech feature data of the user and the server stores the adapted

user-specific acoustic model for use only by the associated client device and user in

application utilizing speech recognition (*col. 3, line 53 to col. 4, line 67, using received

speech data to adapted existing speech recognition models for that particular user so

that to enhance speech recognition accuracy*).

Murveit et al. fails to disclose that the client device downloads and stores the

user-specific adapted acoustic model. However, Kanevsky et al. teach that the client

device downloads and stores the user-specific adapted acoustic model (*col. 7, lines 19-*

40, upon user's request, modified acoustic models are transmitted to other sites on the network).

Since Murveit et al. and Kanevsky et al. are analogous art because they are from the same field of endeavors, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Murveit et al. by incorporating the teaching of Kanevsky et al. in order to enable systems on the network to recognize speech with good accuracy.

6.   Regarding claims 11 and 26, Murveit et al. disclose a method and machine-readable medium, comprising: storing a copy of an acoustic model for a user of a client device at a server, the client device having speech recognition functionality (*elements 216 and 216 in figure 2 and or referring to col. 5, lines 7-67*); receiving speech data from the client device (*figure 2*); and adapting the acoustic model specifically for a user of the client device (*figure 3, element 212, and/or col. 4, lines 24-67*); and wherein, when there is a network connection between the client device and the server (*figure 2*), the server and client device together implement a single user speech recognition system in which digitized raw speech data of a user or extracted speech feature data of user is received by the server from the client device and the acoustic model adaptor adapts a user-specific acoustic model for the client device based solely on the digitized raw speech data of the user or the extracted speech feature data of the user and the server stores the adapted user-specific acoustic model for use only by the associated client device and user in application utilizing speech recognition (*col. 3, line 53 to col. 4, line 67,*

using received speech data to adapted existing speech recognition models for that

particular user so that to enhance speech recognition accuracy).

Murveit et al. fails to disclose that the client device downloads and stores the

user-specific adapted acoustic model. However, Kanevsky et al. teach that the client

device downloads and stores the user-specific adapted acoustic model (*col. 7, lines 19-*

40, upon user's request, modified acoustic models are transmitted to other sites on the

network).

Since Murveit et al. and Kanevsky et al. are analogous art because they are from

the same field of endeavors, it would have been obvious to one of ordinary skill in the

art at the time of invention to modify Murveit et al. by incorporating the teaching of

Kanevsky et al. in order to enable systems on the network to recognize speech with

good accuracy.

7.   Regarding claims 2, 12, 22, and 27, Murveit et al. further disclose that the client

device is a mobile computing device (*col. 3, lines 27-35*).

8.   Regarding claims 4, 14, and 29, Murveit et al. further disclose that the client

device includes local memory to store digitized raw speech data (*buffer memory and*

physical memory are inherently included in any mobile phone system for storing input

speech data for processing and transmitting).

9.   Regarding claims 5, 15, and 30, Murveit et al. further disclose that the client

device includes local memory to store extracted speech feature data (*buffer memory*

and physical memory are inherently included in any mobile phone system for storing

input speech data/features for processing or transmitting).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Huyen X. Vo whose telephone number is 571-272-7631.

The examiner can normally be reached on M-F, 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Richemond Dorvil can be reached on 571-272-7602. The fax phone

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HXV   8/29/2006

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RICHEMOND DORVIL
SUPERVISORY PATENT EXAMINER